

## MEMORANDUM

TO: Members, Public Disclosure Commission

FROM: Philip E. Stutzman, Director of Compliance

DATE: June 14, 2004

SUBJECT: Status of Compliance Cases

Enclosed is an update of all compliance activity since my last memo to you dated May 18, 2004. If you would like additional information, please let me know.

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## **Part I**

### **Investigations Completed**

#### **Cases Scheduled For Hearing:**

##### **Scheduled for Full Enforcement Hearing:**

None.

##### **Scheduled for Brief Enforcement Hearing:**

###### **Hammond, Steve--Case #04-239; Suemary Trobaugh**

Date Received: September 9, 2003

Date Started: September 19, 2003

Section of Law: RCW 42.17.080, .090 and .130

Status: Investigation Complete

Summary: A complaint was received from David Osgood alleging that the Steve Hammond campaign failed to report the receipt of an in-kind contribution of professional services for the value of filing a challenge to Senator Pam Roach's voter registration. Mr. Hammond is an incumbent King County Council member. The complaint also alleged that Diane Fish, a King County Council employee on Mr. Hammond's staff, and Jeff Cox, also on Mr. Hammond's King County Council staff, worked on the challenge to Senator Roach's voter registration while on County time. This portion of the complaint was added to the complaint as an alleged violation of RCW 42.17.130. A brief enforcement hearing has been scheduled for June 21, 2004.

Disposition: Pending

###### **Towers, Steven--Case #04-279; Investigator: Tony Perkins**

Date Received: October 7, 2003

Date Started: October 21, 2003

Section of Law: RCW 42.17.080 & .090

Status: Investigation Complete

Summary: A complaint was received from J. Steven Thomas alleging that Steven Towers, a candidate for fire commissioner in Snohomish County Fire District 4,

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failed to maintain records of campaign expenditures, including receipt of an in-kind contribution of a mailer paid for by the Snohomish Professional Firefighters Association, and that Mr. Towers failed to account for campaign signs in his records. A brief enforcement hearing had previously been held before the Commission Chair on May 26, 2004. It was initially found that Steven Thomas had received an in-kind contribution in the form of a mailer undertaken by IAFF Local 2694, which was approved by Mr. Towers, that exceeded the \$300 limit under Mini Reporting for contributions received from any one source. Based on additional information that was not available at the time of the hearing, that order was rescinded and new brief enforcement hearing has been scheduled for June 21, 2004.

Disposition: Pending

**Scott, Judy --Case #04-293; Investigator: Tony Perkins**

Date Received: October 27, 2003

Date Started: October 27, 2003

Section of Law: RCW 42.17.040, .080, .090 & WAC 390-16-105

Status: Investigation Complete

Summary: A complaint was received from Steven Clayton alleging that Judy Scott, a candidate for Port of Allyn Commissioner, exceeded the limits of Mini reporting, and failed to disclose contribution and expenditure activities as required for a candidate. A brief enforcement hearing has been scheduled for June 21, 2004.

Disposition: Pending

**Thurston Citizens for a Better Community--Case #04-439 Investigator: Tony Perkins**

Date Received: February 25, 2004

Date Started: March 2, 2004

Section of Law: RCW 42.17.080 & .090

Status: Investigation Complete

Summary: A complaint was received from Jerome Parker alleging that the Thurston Citizens for a Better Community failed to timely file contribution and expenditure reports disclosing committee activities. A brief enforcement hearing has been scheduled for June 21, 2004.

Disposition: Pending

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## **Cases Closed**

The following cases were closed as a result of enforcement hearings: (Respondents may appeal the results of enforcement hearings. For the results of appeals, see “Compliance” and “Results of Enforcement” on the PDC’s home page at [www.pdc.wa.gov](http://www.pdc.wa.gov))

### **Full Enforcement Hearings:**

#### **Washington State Farm Bureau--Case #04-309; Investigator: Kurt Young**

Date Received: October 28, 2003

Date Started: November 4, 2003

Section of Law: RCW 42.17.180

Status: Investigation Complete

Summary: A complaint was received from Diane McDaniel with the Washington State Labor Council alleging that the Washington State Farm Bureau (WSFB), a lobbyist employer, made in-kind contributions to the Workers Against Job Killing Rules (WAJKR), a political committee supporting a statewide initiative, for employee work conducted on behalf of Initiative 841 that was not reported as required for a lobbyist employer. After receiving the complaint concerning the alleged failure to report in-kind contributions, WSFB notified PDC staff that it had failed to timely report a \$50,000 monetary contribution to WAJKR as required for a lobbyist employer. The \$50,000 contribution to the WAJKR is the subject of this enforcement proceeding.

**Disposition:** An enforcement hearing was held before the Full Commission on May 26, 2004. The Commission accepted a Stipulation of Facts and Violation and found that the WSFB committed a single violation of RCW 42.17.180 by failing to timely report a \$50,000 monetary contribution that was made to Workers Against Job Killing Rules on September 24, 2003. A total civil penalty of \$1,000 was assessed against the WSFB, of which \$500 of the penalty was suspended on the condition that the WSFB commits no further violations of RCW 42.17 for a period of two years from the date of this order as determined by the Full Commission.

#### **Committee for a Responsible Majority (C-Farm) --Case #04-383; Investigator: Lori Anderson**

Date Received: December 1, 2003

Date Started: December 2, 2003

Section of Law: RCW 42.17.040, .080, .090 & .640

**Note: If the Disposition shows "Pending," the case has not yet been resolved and no finding on the allegations has been made.**

Status: Investigation Complete

Summary: A complaint was received from Kurt Fritts, with the Senate Democratic Campaign Committee, alleging that Citizens for a Responsible Majority (C-Farm); 1) failed to timely file an amended Committee Registration Statement (PDC Form C-1pc); 2) failed to timely report contribution and expenditure activities; and 3) did not receive the required \$10 from ten registered voters within the last 180 days in order to be eligible to make contributions to legislative candidates.

**Disposition:** An enforcement hearing was held before the Full Commission on May 26, 2004. The Commission accepted a Stipulation of Facts, Violations and Penalty and found that C-Farm committed multiple violations of RCW 42.17.080 and .090 by failing to timely file Monetary Contribution reports (PDC form C-3) for contributions received and Summary Reports of Receipts and Expenditures (PDC form C-4) for expenditures made covering the period of . C-Farm was assessed a civil penalty of \$5,000, of which \$2,500 was suspended on the condition that C-Farm commits no violations of RCW 42.17 for a period of four years from the date of their order.

**Rose, Foster--Case #04-419; Investigator: Kurt Young**

Date Received: January 16, 2004

Date Started: January 16, 2004

Section of Law: RCW 42.17.770

Status: Investigation Complete

Summary: A PDC staff generated complaint was filed by Vicki Rippie, PDC Executive Director, alleging that Foster Rose, a candidate for Bellingham Mayor who lost in a contested 2003 primary election, solicited from the two candidates appearing on the general election ballot for the office of Bellingham Mayor an appointment to the paid position of Deputy Administrator for the City of Bellingham in exchange for his endorsement of those candidates.

**Disposition:** An enforcement hearing was held before the Full Commission on May 26, 2004. The Commission accepted a Stipulation of Facts and Violations and found that Foster Rose committed two violations of RCW 42.17.770 by soliciting from two candidates the paid position of deputy mayor of the City of Bellingham, as a condition of his endorsement. A total civil penalty of \$2,500 was assessed against Mr. Rose, of which \$2,000 of the penalty was suspended on the condition that Mr. Rose commits no further violations of RCW 42.17 for a period of four years from the date of this order as determined by the Full Commission.

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**Brief Enforcement Hearings:** For the results of “Group Enforcement” brief enforcement hearings, other than from investigations, see “Compliance” and “Results of Enforcement” on the PDC’s home page at [www.pdc.wa.gov](http://www.pdc.wa.gov))

**Sullivan, Cynthia -- Case #04-024; Investigator: Tony Perkins**

Date Received: August 22, 2003

Date Started: August 25, 2003

Section of Law: RCW 42.17.090

Status: Investigation Complete

Summary: A complaint was received from Stephen Finley alleging that Cynthia Sullivan, an incumbent King County Council member up for re-election in 2003, filed late and incomplete reports of contributions and expenditures regarding her 2003 re-election campaign.

**Disposition:** A brief enforcement hearing was held before the Commission Chair on May 26, 2004. It was found that Cynthia Sullivan violated RCW 42.17.080 and .090 by failing to timely disclose an order placed or obligation to Hebert Research for polling performed in May and August, 2003, on the 21-day pre-primary C-4 report, covering July 1, 2003, through August 19, 2003, which was due on August 26, 2003. The full obligation of \$20,330.45 to Hebert Research was disclosed 45 days late, on the C-4 filed on October 10, 2003, more than three weeks after the 2003 primary election. In addition, the campaign was found in violation for failing to disclose occupation and employer information for all contributors of over \$100 in the aggregate for 137 out of 191 contributions received, demonstrating a compliance rate of 72%. Ms. Sullivan was assessed a civil penalty of \$350, of which \$150 was suspended on the condition that there be no further violations for a period of two years from the date of the order. It was further ordered that the following allegations were dismissed: 1) that Ms. Sullivan accepted contributions in excess of contribution limits, in violation of RCW 42.17.640; 2) that Ms. Sullivan failed to accurately report the dates that monetary contributions were received, in violation of RCW 42.17.080 and .090; and 3) that Ms. Sullivan failed to timely report contribution deposits and monetary expenditures, in violation of RCW 42.17.080 and .090.

**Burrage, Jeannette--Case #04-237; Investigator: Sally Parker**

Date Received: September 8, 2003

Date Started: September 22, 2003

Section of Law: RCW 42.17.080 & .090

Status: Investigation Complete



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Summary: A complaint was received from Stan Scarvie alleging that Jeannette Burrage, a candidate for Des Moines City Council campaign, failed to timely file reports of contribution and expenditure activities.

**Disposition:** A brief enforcement hearing was held before the Commission Chair on May 26, 2004. It was found that Jeannette Burrage violated RCW 42.17.080 and 42.17.090 by failing to timely file reports of contributions and expenditures, violated RCW 42.17.080 and 42.17.090 by failing to report a \$457 debt on Schedule B to PDC form C-4 as required, and violated RCW 42.17.105 by failing to timely report the receipt of a contribution of \$1,000 from one contributor as a Last Minute Contribution received within seven days of the primary election. Ms. Burrage was assessed a civil penalty of \$200, of which \$100 was suspended on the condition that there be no further violations for a period of two years from the date of the order.

**Sax, Jeff—Case #04-244; Investigator: Tony Perkins**

Date Received: September 16, 2003

Date Started: September 19, 2003

Section of Law: RCW 42.17.060, .080, .090 & .125

Status: Investigation Complete

Summary: A complaint was received from David Somers alleged that Jeff Sax, a candidate for Snohomish County Council in 2001, violated various sections of RCW 42.17. Mr. Somers alleged that a cash contribution (made with currency) was accepted by the Sax campaign in an amount that exceeds the allowable limit, and that the Sax campaign transferred money to Jeff Sax and his wife for expenses that were not directly related to his campaign. The complainant alleged that the Sax campaign failed to report two in-kind contributions and filed reports of contributions and expenditures late, in violation of RCW 42.17.080 and 090. Mr. Somers also alleged that the Sax campaign reported the receipt of contributions in the wrong “election cycle”, and that some of the contributions accepted by the Sax campaign exceeded contribution limits in violation of RCW 42.17.640. This portion of the complaint will not be investigated because it only applies to state office candidates.

**Disposition:** A brief enforcement hearing was held before the Commission Chair on May 26, 2004. It was found that Jeff Sax violated RCW 42.17.080 and .090 by failing to report obligations for rent expenses and reimbursement of lost wages, and by failing to timely file reports of \$9,152 in contributions and \$10,480 in expenditures. Mr. Sax was assessed a civil penalty of \$200, of which \$100 was suspended on the condition that he commits no further violations of RCW 42.17 for a period of two years from the date of the order. In addition, it was further

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ordered that the following allegations listed in the complaint be dismissed: 1) that Mr. Sax accepted a cash contribution over the limit allowed by RCW 42.17.740, and did not maintain in his campaign records a written receipt for this cash contribution, signed both by the contributor and the candidate or treasurer, in violation of RCW 42.17.060(5); 2) that Mr. Sax inappropriately transferred campaign funds to the personal accounts of himself and his spouse, in violation of RCW 42.17.125; and 3) that Mr. Sax failed to report in-kind contributions after a vendor failed to cash two checks for campaign expenses, in violation of RCW 42.17.080 and .090.

**Long, Gary--Case #04-278; Investigator: Tony Perkins**

Date Received: October 7, 2003

Date Started: October 21, 2003

Section of Law: RCW 42.17.080 & .090

Status: Investigation Complete

Summary: A complaint was received from J. Steven Thomas alleging that Gary Long, a candidate for fire commissioner in Snohomish County Fire District 4, exceeded the limits of mini reporting by accepting an in-kind contribution from the Snohomish Professional Firefighters Association in excess of the \$300 limit from a single contributor.

**Disposition:** A brief enforcement hearing was held before the Commission Chair on May 26, 2004. Gary Long was asked by the president of IAFF Local 2694 to approve the printing of a political mailing in support of his campaign, and confirmed that he did approve the mailer. The mailer undertaken by IAFF Local 2694, which was approved by Mr. Long, totaled \$2,762 in the aggregate, or \$2,462 over the \$300 limit under Mini Reporting on contributions from one source. The Gary Long campaigns total monetary and in-kind contributions and expenditures for the 2003 election were \$3,062. Gary Long lost in the September 16, 2003, primary election, and did not apply for a change from the Mini Reporting option to Full Reporting at any point in his 2003 campaign. It was found that Gary Long violated RCW 42.17.080, RCW 42.17.090, WAC 390-16-105 and WAC 390-16-125 by accepting in-kind contributions from one source which exceeded the limit of the Mini Reporting option, and violated RCW 42.17.040 by failing to properly seek a change to the Full Reporting option. Mr. Long was assessed a civil penalty of \$150, of which \$100 was suspended on the condition that he commits no further violations of RCW 42.17 for a period of two years from the date of this Order.

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**Hession, Dennis--Case #04-281; Investigator: Tony Perkins**

Date Received: October 15, 2003

Date Started: October 21, 2003

Section of Law: RCW 42.17.060, .080, .090 & .3691

Status: Investigation Complete

Summary: A complaint was received from Donna McKereghan alleging that Dennis Hession, a candidate for Spokane City Council President, failed to timely deposit contributions within five business days of receipt, failed to timely file C-3 and C-4 reports of contributions and expenditures, and failed to timely file reports of contribution and expenditure activities electronically.

**Disposition:** A brief enforcement hearing was held before the Commission Chair on May 26, 2004. It was found that Dennis Hession violated RCW 42.17.080 and .090 by failing to timely report contribution deposits totaling \$24,860, and by failing to timely report monetary expenditures totaling \$8,926.33. Mr. Hession was assessed a civil penalty of \$200, of which \$100 was suspended on the condition that he commits no further violations of RCW 42.17 for a period of two years from the date of the order. In addition, it was further ordered that the following allegations listed in the complaint be dismissed: 1) that Mr. Hession failed to electronically file all contribution and expenditure reports for his 2003 campaign for Spokane City Council President, in violation of RCW 42.17.3691; 2) that Mr. Hession failed to deposit monetary contributions within five business days of receipt, in violation of RCW 42.17.060; and 3) that Mr. Hession transferred funds received for his 2001 campaign for Spokane City Council Member to his campaign for a different office without receiving written permission from the contributors, in violation of RCW 42.17.790.

The following cases were dismissed with the concurrence of the chair during this period: (The full text of the dismissal letters issued can be viewed at [www.pdc.wa.gov](http://www.pdc.wa.gov). Click on “Compliance” and “Dismissal of Complaints.”)

**Zarelli, Joseph--Case #04-442; Investigator: Tony Perkins**

Date Received: March 2, 2004

Date Started: March 29, 2004

Section of Law: RCW 42.17.3691

Status: Investigation Complete

Summary: A complaint were received from Kurt Fritts, Executive Director of the Senate Democratic Campaign Committee, alleging that Washington State Senator

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Joseph Zarelli, a candidate up for re-election in 2004 failed to electronically file timely, reports disclosing campaign contribution and expenditure information.

**Disposition:** Dismissed with the concurrence of the Chair. It was found that the People for Zarelli 2004 Campaign understood its requirement to electronically file contribution and expenditure reports, and that his campaign treasurer received training in electronic filing from the PDC in December of 2003. PDC staff reminded Senator Zarelli of his campaign’s electronic filing requirement in a letter sent March 5, 2004, prior to the receiving the complaint. That letter instructed the campaign to begin electronic filing of contribution and expenditure reports by April 10, 2004. The People for Zarelli 2004 Campaign began electronic filing on April 4, 2004, and by May 13, 2004, all expenditure reports for the People for Zarelli 2004 Campaign had been electronically filed. Since all of the campaigns reports have now been submitted electronically, and contribution and expenditure data has been made available to the public in electronic form at least sixteen weeks prior to the 2004 primary election, no enforcement action was warranted.

**Thomas, Terry--Case #04-522; Investigator: Tony Perkins**

Date Originally Received: September 23, 2003 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A complaint was received from Ben Livingston alleging that Seattle Ethics and Election Executive Director Terry Thomas used City of Seattle facilities to produce an opposition statement to Initiative 75, a City of Seattle ballot proposition on the 2003 ballot.

**Disposition:** Dismissed with the concurrence of the Chair. It was found that a copy of a report issued by Susan Cohen, Seattle City Auditor was reviewed concerning this complaint, and that report concluded in forming the committee to prepare statements in opposition to Seattle Initiative I-75 for the local voters’ pamphlet, Mr. Thomas was performing duties explicitly assigned to him by the Seattle Municipal Code. Mr. Thomas was carrying out those duties in a manner consistent with the practice of the Seattle Ethics and Elections Office over many years and was therefore engaged in activities that constituted normal and regular conduct for his agency. PDC staff also found that Mr. Thomas was not in a position to use, or authorize the use of, the facilities of the City Attorney’s office, the County Sheriff’s office, or the County Prosecuting Attorney’s office. As noted in the City Auditor’s report, Mr. Thomas was acting appropriately in

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contacting Mr. Carr, Mr. Reichert, and Mr. Maleng during business hours to request their participation on the committee opposing I-75, since it was among his official duties to prepare a voters’ pamphlet containing statements for and against local ballot measures. Thus, there is no evidence that Mr. Thomas violated RCW 42.17.130.

## **Cases Referred To Attorney General For Further Action**

### **Concerned Citizens for Better Government (CCBG) and Joseph Coomer, Treasurer, CCBG--#00-241; Investigator: Kurt Young**

Date Received: October 21, 1999

Date Started: October 25, 1999

Section of Law: RCW 42.17.080 and .090

Status: Investigation Complete

Summary: A complaint was received from Meg Van Wyk, alleging that Concerned Citizens for Better Government (CCBG) and Joseph Coomer, Treasurer, CCBG, distributed political advertising without properly reporting or filing the required campaign disclosure reports. An enforcement hearing was held February 27, 2001.

**Disposition:** The Commission found that the Respondent committed multiple apparent violations and referred the matter to the Attorney General’s Office.

### **Washington Education Association—Case #01-002; Investigator: Lori Anderson**

Date Received: August 15, 2000

Date Started: August 18, 2000

Section of Law: RCW 42.17.760

Status: Investigation Complete

Summary: A complaint was received from the Evergreen Freedom Foundation and public school employees alleging that the Washington Education Association (WEA) and Washington School Districts are in violation of RCW 42.17.680 and 42.17.760. The complaint alleges that Washington School Districts are in violation of RCW 42.17.680 by withholding dues and fees from employees’ wages that are used by the WEA and the National Education Association (NEA) for contributions to political campaigns. The complaint also alleges that the WEA is violating RCW 42.17.760 by using agency shop fees for political contributions and expenditures without the affirmative authorization of non-members. The complaint was forwarded to the PDC by the Attorney General’s Office following its receipt of the complaint from EFF. The complaint was filed with the Attorney

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General’s Office and all County Prosecuting Attorneys requesting that an action be commenced in the courts to address the apparent violations of RCW 42.17. The complaint said that if an action were not commenced in court the complainant would seek appropriate legal and equitable relief pursuant to RCW 42.17. RCW 42.17.400(4) provides a 45-day time period before a complainant may take steps to initiate a citizen’s action in superior court.

**Disposition:** The Commission accepted a Stipulation of Facts, Violations and Recommendations, found that the Respondent committed an apparent violation of RCW 42.17.760, stipulated to as actual violations, and referred the matter to the Attorney General’s Office.

**Thurston County Superior Court Disposition:** The Attorney General’s Office filed suit in Thurston County, and the case went to trial in Thurston County Superior Court. The Thurston County Superior Court found the Respondent intentionally violated RCW 42.17.760, and assessed a total civil penalty of \$400,000. The Washington Education Association has appealed that decision.

**Permanent Offense, Permanent Offense Incorporated, Traffic Improvement Initiative Committee, and Tim Eyman—Case #02-281; Investigator: Kurt Young; (Also received 45-Day Letter of Complaint)**

Date Received: February 6, 2002

Date Started: February 6, 2002

Section of Law: RCW 42.17.080, .090, .120, & .125

Status: Investigation Complete

Summary: A complaint was filed by PDC Executive Director Vicki Rippie against Permanent Offense, Permanent Offense Incorporated, Traffic Improvement Initiative Committee, and Tim Eyman alleging the following: 1) failure to properly report committee expenditures, including the purpose of those expenditures; 2) concealing the fact that committee funds were expended to pay Mr. Eyman for compensation for the work he performed on behalf of Permanent Offense; 3) use of committee funds to pay for Mr. Eyman’s personal expenses. In addition, a “45-day letter of complaint” was filed by Richard A. Smith and Knoll Lowney, attorneys with Smith & Lowney, PLLC, representing Permanently Offended, with the Office of the Attorney General and the County Prosecutor’s Offices in King, Snohomish and Thurston counties against Permanent Offense, Permanent Offense, Inc., Traffic Improvement Initiative, Tim Eyman, Karen Eyman, and Suzanne Karr alleging violations similar to those outlined in the PDC complaint.

**Disposition:** A report to the Commission was presented at its special April 9,

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Commission meeting. The Commission found that the Respondent committed multiple apparent violations and referred the matter to the Attorney General’s Office.

**National Education Association—Case #02-282; Investigator: Suemary Trobaugh; (45-Day Letter of Complaint)**

Date Received: January 31, 2002

Date Started: February 6, 2002

Section of Law: RCW 42.17.040, .080, .090, .680 and .760

Status: Investigation Complete

Summary: On January 31, 2002, the Evergreen Freedom Foundation, Lowell Johnson, Carrie Riplinger, Susan Kobes and David Williams, through attorney Jeanne Brown filed a citizen’s action letter under RCW 42.17.400(4) with the Office of the Attorney General and the State of Washington’s County Prosecutors’ Offices. The complaint alleged violations by the NEA’s Ballot Measure/Legislative Crisis and Media Campaign Fund of 1) RCW 42.17.040 et. seq (failure to register as a political committee); 2) violations of RCW 42.17.680(3) (diverting a portion of an employee's wages or salaries for contributions to political committees without the written request of the employee); and 3) violations of RCW 42.17.760 (using agency shop fees paid by non members to influence an election without written authorization by the Individual). On February 6, 2002, the Office of the Attorney General officially notified the PDC that they were referring the matter to the PDC for investigation. PDC Staff completed a Preliminary Report of Investigation and prepared a memorandum to Commission members concerning Staff’s findings and recommendation.

**Disposition:** On April 9, 2002, the matter was on the Commission’s agenda as a report to the Commission. In light of the complaint the Evergreen Freedom Foundation filed against the NEA in Thurston County Superior Court on April 8, 2002 under provisions of RCW 42.17.400(4), the Commission accepted Staff’s recommendation that it take no action in this case. On August 23, 2002, Thurston County Superior Court Judge Paula Casey dismissed the lawsuit filed by EFF against NEA. Judge Casey’s dismissal was based on a decision by the WA State Court of Appeals in State ex rel. Evergreen Freedom Foundation v Washington Education Association, No. 25272-4-II, where the court stated that “Before the 10-day period<sup>1</sup> had passed after EFF’s second letter to the AG, the AG forwarded

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<sup>1</sup> RCW 42.17.400 states: “The citizen action may be brought only if the attorney general...ha(s) failed to commence an action hereunder within forty-five days and after such notice and such person has thereafter further

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the allegations to the PDC for investigation...Because the AG acted before the end of the 10-day period, EFF could not bring a citizen’s action lawsuit under RCW 42.17.400...” By a unanimous vote, the Commission dismissed the allegations that NEA violated RCW 42.17.040 and 42.17.680.

On October 2, 2002, at a special Commission meeting, by a unanimous vote, the Commission dismissed the allegations that NEA violated RCW 42.17.040 and 42.17.680. By a unanimous vote, the Commission found multiple apparent violations of RCW 42.17.760 by the NEA when it used agency shop fees to make contributions or expenditures to influence an election or to operate a political committee without authorization from the employees. The Commission found that given the insufficiency of its penalty authority, in lieu of holding an enforcement hearing, the Commission referred the above referenced apparent violations to the Washington State Attorney General's Office for appropriate action pursuant to RCW 42.17.360 and .395 and WAC 390-37-100.

**Concerned Citizens for Better Government (CCBG) and Joseph Coomer,  
Treasurer, CCBG--#03-080; Investigator: Kurt Young**

Date Received: November 6, 2002

Date Started: November 6, 2002

Section of Law: RCW 42.17.080 and .090

Status: Investigation Complete

Summary: A complaint was filed by Vicki Rippie, PDC Executive Director, alleging that the Concerned Citizens for Better Government (CCBG) and Joseph Coomer, Treasurer of CCBG distributed political advertising related to more than one election cycle without reporting contribution and expenditures activities that were undertaken.

**Disposition:** This matter was presented as a report to the Commission on March 25, 2003. The Commission found multiple apparent violations of RCW 42.17.065, 42.17.080 and 42.17.090 by the Respondents for failing to timely report contribution and expenditure information for 2001 and 2002 activities supporting or opposing candidates and ballot propositions. Given the insufficiency of its penalty authority, the Commission referred the apparent violations to the Attorney General’s Office for appropriate action.

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notified the attorney general...that said person will commence a citizen’s action within ten days upon their failure to do so...”



**Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.**

**Hopkins, Hank/Environmental Materials Transport, LLC--Case #03-153;**

**Investigator: Sally Parker**

Date Received: April 15, 2002

Date Started: April 19, 2002

Section of Law: RCW 42.17.105 & .120

Status: Investigation Complete

Summary: This case is related to PDC Case No. 02-296. Hank Hopkins as President of Environmental Materials Transport, LLC (EMTLLC) was added as a respondent by PDC staff alleging that Mr. Hopkins made contributions in excess of \$5,000 within 21 days of the 2001 general election by contributing \$20,000 to Don Wasson's political committee to support Des Moines City Council candidates Petersen, Benjamin and Steenrod. It was further alleged that Mr. Hopkins and EMT LLC concealed the source and amount of an initial \$1,000 payment that was made to Don Wasson and his political committee to support the campaigns of Gary Petersen and Richard Benjamin. In addition, it is also alleged that Mr. Hopkins and EMT LLC concealed the source and amount of contributions that were made to Mr. Wasson's political committee totaling \$20,000 that also supported the 2001 Council campaigns of Mr. Petersen, Mr. Benjamin, and Ms. Steenrod.

**Disposition:** An Enforcement hearing before the Full Commission was held on March 25, 2003. The Commission found multiple apparent violations of RCW 42.17.120 by the Respondents for concealing contributions used to benefit candidates in the 2001 Des Moines City Council election. Given the insufficiency of its penalty authority, the Commission referred the apparent violations to the Attorney General's Office for appropriate action.

**Mooney, Pat --Case #04-310; Investigator: Sally Parker**

Date Received: November 12, 2003

Date Started: November 13, 2003

Section of Law: RCW 42.17.040, .080, .090 & WAC 390-16-105

Status: Investigation Complete

Summary: Two complaints were received, one from Michael Evans and one from Brian Wetcher, alleging that Pat Mooney, a candidate for the Port of Anacortes, received contributions and made expenditures in support of his candidacy in excess of the mini reporting option limits. In addition, a “45-day Citizen Action Letter” was filed by Mr. Wetcher with the Office of the Attorney General and the Skagit County Prosecutor's Office against Pat Mooney alleging almost identical violations as those outlined in the PDC complaint.

**Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.**

**Disposition:** This matter was originally presented to the Commission at its February 24, 2004 Commission meeting as a report to the Commission. The Commission directed that an enforcement hearing be held, which was done at a special Commission meeting on March 10, 2004. The Commission found that there were multiple apparent violations by Pat Mooney of the PDC’s statutes and rules including RCW 42.17.040, RCW 42.17.080, RCW 42.17.090, WAC 390-16-105, and WAC 390-16-125. The Commission noted the statutes and rules regarding mini reporting limits, and further noted that Mr. Mooney exceeded those limits, and that Mr. Mooney was aware that he should have advised his opponent of the fact he exceeded the mini reporting limits, but did not.

The Commission observed that the expenditures and contributions by Mr. Mooney exceeded the mini reporting limits, that those expenditures and contributions upset the even playing field in the campaign, and could have affected the outcome of the election. The Commission determined that a referral to the Attorney General's Office of this matter was appropriate because the remedies that the Commission could impose statutorily were insufficient in considering the number and quality of the apparent violations, and their possible effect on the election. In lieu of entering Findings of Fact, Conclusions of Law, and an Order to impose a penalty or other relief, the Commission referred this matter to the Washington State Attorney General's Office, and requests the Attorney General’s Office explore all remedies available, including the possibility of a court voiding the election.

## **Part II**

### **Active Investigations**

#### **Investigations In Progress**

**Benjamin, Richard; Peterson, Gary; Case #02-296; Investigator: Sally Parker**

Date Received: April 15, 2002

Date Started: April 19, 2002 (Hearing held March 25, 2003 for portion of issues)

Section of Law: RCW 42.17.120, .080, .090, .240

Status: Under Investigation

Summary: A complaint was received from Dave Kaplan alleging that Gary Peterson failed to disclose information on his Personal Financial Affairs Statement (PDC Form F-1); that consulting services were provided by Don

**Note: If the Disposition shows "Pending," the case has not yet been resolved and no finding on the allegations has been made.**

Wasson to two Des Moines City Council candidates that exceeded the mini reporting limits; that the Des Moines Marina Association made contributions to three candidates for Des Moines City Council that were not disclosed; that a political advertisement was produced and distributed in the City of Des Moines without sponsor identification; that additional political advertisements supporting or opposing candidates for Des Moines City Council failed to contain proper sponsor identification and were not timely reported. On May 1, 2002, a complaint addressing several of the same issues was received from Stanley M. Scarvie on behalf of Citizens for Des Moines. Mr. Scarvie's complaint has been combined with Case #02-296.

In addition, Don Wasson was added as a Respondent and the issues concerning Mr. Wasson, as well as the issues concerning other Respondents named in the original complaint, have been handled through an enforcement hearing held March 25, 2003. (See Results of Enforcement Hearings on PDC Web page under Compliance.) The remaining issues deal with allegations of concealment (RCW 42.17.120) by Richard Benjamin and Gary Peterson, reporting issues (RCW 42.17.080 and .090) by Gary Peterson, and financial affairs reporting issues (RCW 42.17.240) by Gary Peterson.  
Disposition: Pending

**Moran, Karen --Case #04-315; Investigator: Sally Parker**

Date Received: November 10, 2003

Date Started: November 25, 2003

Section of Law: RCW 42.17.080 & .090

Status: Under Investigation

Summary: A complaint was received from Scott Hamilton alleging that Karen Moran, a candidate for Sammamish City Council, failed to report telemarketing phone calls that were made in support of her candidacy.

Disposition: Pending

**More Cops Now & Ed Troyer, Treasurer --Case #04-423; Investigator: Sally Parker**

Date Received: January 16, 2004

Date Started: January 16, 2004

Section of Law: RCW 42.17.080, .090, .105 & .3691

Status: Under Investigation

Summary: A PDC staff generated complaint was filed by Vicki Rippie, PDC Executive Director, alleging that More Cops Now committee, a political committee formed to support a local ballot proposition in Pierce County: (1)

**Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.**

failed to include on its committee registration form (PDC form C-1pc) an address or time for public inspection of its campaign books and records during the eight days before the election and failed to file its post election C-4 report of contribution and expenditure activities; (2) accepted a contribution in excess of \$5,000 within 21 days of the general election, and failed to file a last minute contribution report for such contribution; and (3) failed to file its contribution and expenditure reports electronically.

Disposition: Pending

**Yes on Initiative 18 Committee-- Case #04-438; Investigator: Kurt Young**

Date Received: February 13, 2004

Date Started: February 19, 2004

Section of Law: RCW 42.17.080 & .090

Status: Under Investigation

Summary: A complaint was received from Steve Williamson, Executive Secretary of the King County Labor Council, AFL-CIO alleging that the Yes on Initiative 18 Committee (Yes on I-18), a political committee supporting a local ballot proposition in King County, failed to file C-3 and C-4 reports of contribution and expenditure activities, and alleging that Yes on I-18 failed to disclose a \$20,000 payment to Tim Eyman in exchange for services he performed in support of the initiative efforts.

Disposition: Pending

**Pierce County Officials-- Case #04-440; Investigator: Kurt Young**

Date Received: March 3, 2004

Date Started: March 3, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: Three separate complaints were received from David Franta, Donald Veal, and Dale Washam, alleging that officials of Pierce County used the public resources and facilities of Pierce County to promote Proposition 1, a 2003 general election ballot proposition.

Disposition: Pending

**Hammond, Steve--Case #04-441; Investigator: Sally Parker**

Date Received: March 2, 2004

Date Started: March 29, 2004

Section of Law: RCW 42.17.530

Status: Under Investigation

**Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.**

Summary: A complaint were received from James Heavey alleging that Steve Hammond, an incumbent King County Council member up election in 2003, violated political advertising laws by sponsoring political advertising that contained false statements about his opponent Barbara Heavy.

Disposition: Pending

**TME Capital Group--Case #04-445; Investigator: Sally Parker**

Date Received: April 5, 2004

Date Started: April 5, 2004

Section of Law: RCW 42.17.040, .080, .090, .105, 120,780

Status: Under Investigation

Summary: A PDC staff generated complaint was filed by PDC Executive Director Vicki Rippie, after PDC staff noted, while assisting the Attorney General's Office following referral of Case No. 03-153 by the Commission to the Attorney General's office, that TME Capital Group, LLC (TME) and its investors (Elling Halvorson, Catherine Boshaw, Doug Edlund, John Taylor, Lon Halvorson, E. Kent Halvorson, Tim Teteak and David Chevalier) may have violated the following: 1) RCW 42.17.040 through 42.17.090 by failing to register and report as a political committee when TME and its investors raised and spent funds to support candidates; 2) RCW 42.17.105(8) by making contributions to another political committee exceeding \$5,000 with 21 days of the 2001 general election; 3) RCW 42.17.780 by reimbursing \$19,000 to Monarch Enterprises for contributions made to a political committee that supported candidates in the 2001 general election; and 4) RCW 42.17.120 by concealing the source of the contributions received and expenditures made to support Des Moines City Council candidates.

Disposition: Pending

**Washington Breathe Alliance--Case #04-446; Investigator: Tony Perkins**

Date Received: March 29, 2004

Date Started: April 8, 2004

Section of Law: RCW 42.17.200

Status: Under Investigation

Summary: A complaint were received from Ian Foraker, alleging that the Washington Breathe Alliance engaged in a grass roots lobbying campaign during the 2004 Legislative Session, and failed to timely file Grass Roots Lobbying Reports (PDC Form L-6) disclosing those activities as required by law.

Disposition: Pending

**Note: If the Disposition shows "Pending," the case has not yet been resolved and no finding on the allegations has been made.**

**Goings, Calvin--Case #04-447; Investigator: Kurt Young**

Date Received: April 2, 2004

Date Started: April 6, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint were received from Dale Washam a candidate for Pierce County Council, alleging that Pierce County Council member Calvin Goings, a candidate up for re-election to the Pierce County Council in 2004 used Pierce County resources and facilities to support his candidacy.

Disposition: Pending

**Washington State Grange--Case #04-450; Investigator: Suemary Trobaugh**

Date Received: April 21, 2004

Date Started: April 22, 2004

Section of Law: RCW 42.17.080 & .090

Status: Under Investigation

Summary: A complaint was received from Paul Berendt, Chair of the Washington State Democratic Central Committee (WSDCC), alleging that the Washington State Grange failed to report contribution and expenditure activities in support of a statewide ballot proposition.

Disposition: Pending

**Kirsch, Greg (Chehalis School District)--Case #04-451; Investigator: Suemary Trobaugh**

Date Originally Received: October 28, 2003 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from John Panesko alleging that officials of the Chehalis School District used district facilities to produce and distribute newsletters that featured and supported incumbent school board member Larry Gueck, a candidate up for re-election in 2003.

Disposition: Pending

**Hawe, William (Clallam County)--Case #04-452; Investigator: Kurt Young**

Date Originally Received: October 21, 2002 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

**Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.**

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Soren Poulsen alleging that William Hawe, an incumbent Clallam County Sheriff and a candidate for re-election in 2002, used the facilities of Clallam County to support his candidacy for re-election.

Disposition: Pending

**Pierce County Fire District 13 (Officials) --Case #04-453; Investigator: Sally Parker**

Date Originally Received: September 20, 2002 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from David J. Kovanen alleging that officials from Pierce County Fire District 13, used the fire district facilities to produce and distribute a letter addressed that supported a local ballot proposition, in response to information distributed by a private citizen in opposition to the local ballot proposition.

Disposition: Pending

**Stevens County Rural Library District (Officials) --Case #04-454; Investigator: Tony Perkins**

Date Originally Received: January 21, 2003 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: Three complaints were received from Stan Long, Arlene Sparks and Karen Frostad, alleging that officials from Stevens County Library District used the district facilities to support a local ballot proposition.

Disposition: Pending

**Cowlitz County Commissioners and Public Facilities District Officials --Case #04-455; Investigator: Suemary Trobaugh**

Date Originally Received: March 17, 2003 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

**Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.**

Status: Under Investigation

Summary: A complaint was received from Steve Dragich alleging that Cowlitz County Commissioners and Public Facilities District Officials used the facilities of their respective public agencies to support a local ballot proposition.

Disposition: Pending

**Orr, Leona (City of Kent)--Case #04-456; Investigator: Sally Parker**

Date Originally Received: October 30, 2003 (Investigation previously suspended-per injunction)

Date Started: April 28, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Sandra Amodt alleging that Kent City Councilmember Leona Orr, a candidate up for re-election to the Kent city council, used city facilities to promote her candidacy for public office.

Disposition: Pending

**Sound Transit (Officials)--Case #04-457; Investigator: Suemary Trobaugh**

Date Originally Received: August 29, 2002 (Investigation previously suspended-per injunction)

Date Started: April 28, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Tim Eyman, alleging that officials of Sound Transit used the transit facilities to oppose a statewide initiative, Initiative #776.

Disposition: Pending

**Knezovich, Ozzie (Spokane County)--Case #04-460; Investigator: Kurt Young**

Date Originally Received: September 6, 2002 (Investigation previously suspended-per injunction)

Date Started: April 28, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Annette Remshard, alleging that Ozzie Knezovich, President of the Spokane County Sheriff's Association, used Spokane County facilities to produce and distribute a political advertisement that endorsed six candidates for the Spokane Valley City council on the 2002 ballot,



**Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.**

by including the address and phone number of a county facility in the sponsor identification.

Disposition: Pending

**Anderson, Frank (City of Everett)--Case #04-459; Investigator: Tony Perkins**

Date Originally Received: September 23, 2003 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Margaret Michele Hoverter alleging that Everett City Mayor Frank Anderson, a candidate up for re-election in 2003, used city facilities and resources to support his candidacy for public office.

Disposition: Pending

**Koelker-Wheeler, Kathy--Case #04-531; Investigator: Sally Parker**

Date Originally Received: August 28, 2003 (Investigation previously suspended-per injunction)

Date Started: May 14, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from former Renton Mayor Jesse Tanner, alleging that Kathy Koelker-Wheeler, an incumbent Renton City Council member and candidate for Renton Mayor in 2003, used Renton city facilities to promote her candidacy for public office.

Disposition: Pending

**Bainbridge Island Fire Department Officials--04-532; Investigator: Kurt Young**

Date Received: April 30, 2004

Date Started: May 13, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Ken Guy alleging that Bainbridge Island Fire Department Officials used fire department resources and facilities by distributing a flyer in support of a local May 18, 2004 ballot proposition.

Disposition: Pending

**Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.**

**Fields, Amy (Monroe School District)--Case #04-533; Investigator: Suemary Trobaugh**

Date Received: May 13, 2004

Date Started: May 17, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Jami Lund with the Evergreen Freedom Foundation, alleging that Amy Fields, an employee of the Monroe School District, used the school district's internal mail system to support a statewide referendum, Referendum #55.

Disposition: Pending

**Green, Michael (Nine Mile Falls School District)--Case #04-534; Investigator: Tony Perkins**

Date Received: May 19, 2004

Date Started: May 27, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Byrd and Lynn Stuter, alleging that Michael Green, Superintendent of Schools for Nine Mile Falls School District No. 325-179, used the facilities of the district to support passage of school district ballot propositions that were placed on the March 9 and May 18, 2004 ballots. The complainants alleged that brochures produced by the school district were promotional in nature.

Disposition: Pending

**Herbert, Ed (Ballard High School, Seattle School District)--Case #04-663; Investigator: Suemary Trobaugh**

Date Received: June 3, 2004

Date Started: June 10, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Jami Lund with the Evergreen Freedom Foundation, alleging that Ed Herbert, an employee of Ballard High School in the Seattle School District, used the school district's internal mail system to support a statewide referendum, Referendum #55.

Disposition: Pending

**Note: If the Disposition shows "Pending," the case has not yet been resolved and no finding on the allegations has been made.**

**Nusbaum, Dennis (Ballard High School, Seattle School District)--Case #04-664;  
Investigator: Suemary Trobaugh**

Date Received: June 3, 2004

Date Started: June 10, 2004

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Jami Lund with the Evergreen Freedom Foundation, alleging that Dennis Nusbaum, an employee of Ballard High School in the Seattle School District, used the school district's internal mail system to support a statewide referendum, Referendum #55.

Disposition: Pending

**Foote, Jr., H. M. -- Case #02-296; Investigator: Sally Parker**

Date Received: April 15, 2002 (Investigation Suspended per injunction: Re-Activated on April 21, 2004)

Date Started: April 19, 2002

Section of Law: RCW 42.17.040, .080, .090, .100, .130, .240 and .510

Status: Under Investigation

Summary: A complaint was received from Dave Kaplan alleging a number of violations against several candidates and individuals. One allegation was that Michael Foote used the facilities of King County Water District #54 to produce and distribute a flyer that supported or opposed candidates for Des Moines City Council in the 2001 City Council elections. See Table of Contents for location of additional case summary information.

Disposition: Pending

**Anderson, Don--Case #03-007; Investigator: Kurt Young**

Date Received: July 10, 2002 (Investigation Suspended per injunction: Re-Activated on April 21, 2004)

Date Started: July 10, 2002

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Karl Sloan alleging that Don Anderson, an employee of the Okanogan County Prosecutor's Office and a candidate for Okanogan County Prosecutor in 2002, violated RCW 42.17.130 by using the facilities of the Okanogan County Prosecutor's Office to support his candidacy.

Disposition: Pending

**Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.**

## **Cases Under Review**

**City of Vancouver (City Officials) -- Case #02-286; Investigator: Suemary Trobaugh**

Date Received: January 30, 2002 (Investigation Suspended per injunction: Re-Activated on April 21, 2004)

Date Started: February 13, 2002

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Kelly Hinton alleging that officials of the City of Vancouver used city facilities to support a February 5, 2002, local ballot proposition.

Disposition: Pending

**Spencer, Dane-- Case #02-291; Investigator: Suemary Trobaugh**

Date Received: March 18, 2002 (Investigation Suspended per injunction: Re-Activated on April 21, 2004)

Date Started: April 1, 2002

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Tom Hujar alleging that officials of the Bainbridge Island Park District used park facilities to support a February 5, 2002 local ballot proposition.

Disposition: Pending

**Foote, Jr., H. M. -- Case #02-292; Investigator: Sally Parker**

Date Received: April 1, 2002 (Investigation Suspended per injunction: Re-Activated on April 21, 2004)

Date Started: April 15, 2002

Section of Law: RCW 42.17.130 and .510

Status: Under Review

Summary: A complaint was received from Robert Awford alleging that Michael Foote used the facilities of King County Water District #54 to produce and distribute a flyer that supported or opposed candidates for Des Moines City Council during the 2001 City Council elections.

Disposition: Pending

**Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.**

**Pearsall-Stipek, Cathy-- Case #02-294; Investigator: Sally Parker**

Date Received: April 3, 2002

Date Started: April 15, 2002

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Dale Washam alleging that Cathy Pearsall-Stipek, Pierce County Auditor, used or authorized the use of facilities of the Pierce County Auditor's Office to assist her 1998 election campaign for Pierce County Auditor and the 2002 election campaign of Pat McCarthy for Pierce County Auditor. The portion of the complaint alleging that Pat McCarthy violated RCW 42.17.130 was dismissed July 22, 2002.

Disposition: Pending

**The American Dream Coalition--Case #03-079; Investigator: Kurt Young**

Date Received: November 1, 2002

Date Started: November 1, 2002

Section of Law: RCW 42.17.100 and .530

Status: Under Review

Summary: A complaint was filed by John D. Morgan, Chair of the Kitsap County Democratic Central Committee, alleging that “The American Dream Coalition” and Michael Svardh failed to report independent expenditures made in opposition to Tim Botkin, an incumbent Kitsap County Commissioner seeking re-election, and made false statements about Mr. Botkin in political advertising paid for and sponsored by “The American Dream Coalition.”

Disposition: Pending

**Jefferson County Republican Central Committee--Case #04-288; Investigator: Sally Parker**

Date Received: October 17, 2003

Date Started: October 21, 2003

Section of Law: RCW 42.17.530

Status: Under Review

Summary: A complaint was received from William Biery alleging that the Jefferson County Republican Central Committee sponsored political advertising that contained a false statement of material fact about Mark Rose, a candidate for Jefferson County Commissioner.

Disposition: Pending

**Note: If the Disposition shows "Pending," the case has not yet been resolved and no finding on the allegations has been made.**

**Moran, Karen --Case #04-294; Investigator: Sally Parker**

Date Received: October 28, 2003

Date Started: October 28, 2003

Section of Law: RCW 42.17.530

Status: Under Review

Summary: A complaint was received from Nancy Whitten, a candidate for City Council in the City of Sammamish, alleging that Karen Moran and Michael Rundle (also candidates for City Council in the City of Sammamish) made false statements of material fact in political advertisements sponsored by their respective campaigns. Ms. Whitten alleges that both falsely state that she (Nancy Whitten) authored a false mailing against Ms. Moran.

Disposition: Pending

**Rundle, Michael --Case #04-295; Investigator: Sally Parker**

Date Received: October 28, 2003

Date Started: October 28, 2003

Section of Law: RCW 42.17.530

Status: Under Review

Summary: A complaint was received from Nancy Whitten, a candidate for City Council in the City of Sammamish, alleging that Karen Moran and Michael Rundle (also candidates for City Council in the City of Sammamish) made false statements of material fact in political advertisements sponsored by their respective campaigns. Ms. Whitten alleges that both falsely state that she (Nancy Whitten) authored a false mailing against Ms. Moran.

Disposition: Pending

**Raplee, Debra--Case #04-399; Investigator: Lori Anderson**

Date Received: December 29, 2003

Date Started: January 5, 2004

Section of Law: RCW 42.17.530

Status: Under Review

Summary: A complaint was received from Todd Livingood alleging that Debra Raplee, a candidate for Kent City Council, sponsored political advertising that contained false statements made against Leona Orr, an incumbent Kent City Councilperson.

Disposition: Pending

**Note: If the Disposition shows “Pending,” the case has not yet been resolved and no finding on the allegations has been made.**

**Maleng, Norm (King County)--Case #04-460; Investigator: Tony Perkins**

Date Originally Received: September 23, 2003 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Ben Livingston alleging that King County King County Prosecutor Norm Maleng used King County facilities to produce an opposition statement to Initiative 75, a City of Seattle ballot proposition on the 2003 ballot.

Disposition: Pending

**Reichart, Dave (King County)--Case #04-521; Investigator: Tony Perkins**

Date Originally Received: September 23, 2003 (Investigation previously suspended-per injunction)

Date Started: April 27, 2004

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Ben Livingston alleging that King County King Sheriff Dave Reichart used King County facilities to produce an opposition statement to Initiative 75, a City of Seattle ballot proposition on the 2003 ballot.

Disposition: Pending